

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HIRONO, T., et al.

Serial No: 09/901,288

Examiner: Lee, Seung H.

Filed: July 9, 2001

Group Art Unit: 2876

For: CUVETTE CONTROL UNIT AND CONTROLLING METHOD USING THE SAME

AMENDMENT, 37 C.F.R. §1.116

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
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Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §§1.8, 1.9 I certify that this correspondence is being transmitted by facsimile to the Patent And Trademark Office on the date and to the number shown below, FAX No. <u>703-872-9318</u> Comprising <u>12</u> sheets, including this page. <i>Stephen P. Orlock</i> Stephen P. Orlock, Reg. No. 29643 Date <u>9-25-03</u>	
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Applicant hereby responds under 35 U.S.C. §1.116 to the official action mailed August 1, 2003 (Paper No. 9). This response consists of:

SEP 25 2003

- amended claims 1-6 and 8 on following pages 2-5;
- appended remarks, pages 6-10;
- a transmittal letter containing a contingent charge authorization; and,
- a facsimile cover sheet.

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This response places the case in condition for allowance. No issues are presented after final rejection involving substantial consideration or search. Applicant establishes herein that a "control code," consistent with the specification and with the industry understood concept of a control code, is plainly different from a parity or other data-redundancy code. A parity or CRC code is a conventional data code. It changes with data values otherwise found in the bar code. It does not relate to control of the reading/scanning operation. Applicant proposes to amend claim 1 to specifically recite the nature of such control, namely for start or stop coding. This is not a new issue because control codes defined as start and stop codes were recited in claim 4.

Entry of this amendment is requested.

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